Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

Message Text

UNCLASSIFIED

PAGE 01 LAGOS 03411 252303Z
ACTION SNM-02

INFO OCT-01 AF-08 IO-13 ISO-00 DEAE-00 CIAE-00 INR-07
JUSE-00 NSAE-00 TRSE-00 USIA-15 NSC-05 OES-06
OMB-01 H-02 L-03 /063 W
----------252315Z 114357 /62
P R 252247Z MAR 77
FM AMEMBASSY LAGOS
TO SECSTATE WASHDC PRIORITY 122
INFO US MISSION GENEVA UNN

UNCLAS LAGOS 03411

E. O. 11652: NA
TAGS: SNAR, NI
SUBJ: NIGERIAN MARIHUANA LAWS

REF : STATE 057902

1. NIGERIAN LAWS A GOVERNING MARIHUANA POSSESSION AND TRAFFICKING ARE THE INDIAN HEMP DECREE (NO. 19) OF MARCH 31, 1966, AND THE INDIAN HEMP (AMENDMENT) DECREE (NO. 34) OF OCTOBER 24, 1975, WHICH SUBSTANTIALLY REDUCES PENALTIES PRESCRIBED IN 1966 DECREE. COPIES OF DECREE BEING POUCHED TO DEPARTMENT.

2. PENALTIES, AS DETERMINED BY COMBINED EFFECT OF TWO DECREES, ARE AS FOLLOWS:

A. FOR CULTIVATION OF CANNABIS: IMPRISONMENT FOR NOT LESS THAN TEN YEARS. (BEFORE 1975, PENALTY HAD BEEN DEATH OR IMPRISONMENT FOR NOT LESS THAN 21 YEARS.)

B. FOR IMPORTING INTO NIGERIA OR SELLING: NOT LESS THAN TEN YEARS. (BEFORE 1975 PENALTY HAD BEEN DEATH OR IMPRISONMENT FOR NOT LESS THAN 15
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 LAGOS 03411 252303Z

YEARS.)

C. FOR EXPORT: TEN YEARS (NEITHER MORE NOR LESS).

D. FOR SMOKING OR POSSESSION: FINE OF 200 NAIRA (ABOUT 300 DOLLARS) OR IMPRISONMENT FOR NOT LESS THAN SIX MONTHS, OR BOTH. (BEFORE 1975 PENALTY

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Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

HAD BEEN NOT LESS THAN TEN YEARS IMPRISONMENT.)

E. FOR PERMITTING ONE'S PREMISES TO BE USED FOR SELLING, SMOKING OR PREPARING: TEN YEARS (NEITHER MORE NOR LESS).

F. FOR ASSISTING IN SELLING, SMOKING OR PREPARING: TEN YEARS (NEITHER MORE NOR LESS).

3. MALES UNDER AGE 19 CONVICTED OF ABOVE MARIHUANA OFFENSES CAN BE SENTENCED TO CANING, EITHER IN ADDITION TO OR INSTEAD OF ANY OTHER PUNISHMENT. COURT MAY SPECIFY ANY NUMBER OF STROKES OF THE CANE, NOT EXCEEDING 49 (IN SUCCESSIVE INSTALMENTS OF SEVEN STROKES PER DAY, IF NECESSARY).

4. WITHOUT PREJUDICE TO THE CANING PROVISIONS, JUVENILE COURTS TRYING PERSONS UNDER AGE 17 "SHALL HAVE PARTICULAR REGARD TO THE NEED TO PREVENT A REPETITION ... AND SHALL ACCORDINGLY, UNLESS THERE ARE STRONG REASONS WHY IT SHOULD NOT DO SO ... EITHER --

A. PLACE OFFENDER UNDER SUPERVISION OF A PROBATION OFFICER, OR

B. SEND HIM TO AN APPROVED INSTITUTION (SIC); OR

C. COMMIT HIM TO THE CARE OF A FIT PERSON; OR

UNCLASSIFIED

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D. ORDER HIS PARENT OR GUARDIAN TO GIVE SECURITY FOR HIS GOOD BEHAVIOR."

5. DEFENDANT HAS BURDEN OF PROVIDING LACK OF KNOWLEDGE OF OFFENSE.

6. PROVISIONS AGAINST CULTIVATION AND TRAFFICKING ARE ENFORCED AS STRICTLY AS POLICE CAPABILITIES PREMIT. PROVISIONS AGAINST POSSESSION AND USE ARE LESS STRICTLY ENFORCED.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MARIJUANA, LAW, CRIMES, DRUG CONTROL, DRUG TRAFFIC, COURT DECISIONS
Control Number: n/a
Copy: SINGLE
Sent Date: 25-Mar-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
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Format: TEL
From: LAGOS
Handling Restrictions: n/a
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Original Classification: UNCLASSIFIED
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Original Previous Classification: n/a
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Reference: 77 STATE 57902
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 30-Sep-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
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Review Release Date: n/a
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Review Withdrawn Fields: n/a
SAS ID: 2998892
Secure: OPEN
Status: NATIVE
Subject: NIGERIAN MARIHUANA LAWS
TAGS: SNAR, NI
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Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/4c8961b2-c288-dd11-92da-001cc4696bcc
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Margaret P. Grafeld
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US Department of State
EO Systematic Review
22 May 2009
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